

Matthew G. McHenry, OSB 043571
Levine & McHenry LLC
1050 SW Sixth Avenue, Suite 1414
Portland, Oregon 97204
503-546-3927
email: matthew@levinemhenry.com

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA, } No. 3:22-cr-00084-SI
Plaintiff, } UNOPPOSED MOTION TO AMEND
vs. } STIPULATED PROTECTIVE ORDER
TONY KLEIN }
Defendant. }

Defendant Tony Klein, through his attorney Matthew G. McHenry, moves amend the Stipulated Protective Order applicable to this case (ECF No. 34) as set forth below. The government does not object to this motion.

The current stipulated protective order contains the following provision in the Findings section:

2. The United States and the Defendant (the “Parties”), through their attorneys, have made request of CCCF Superintendent Nicole Brown and ODOC officials for the attorneys and members of their respective litigation teams to access and view certain areas within CCCF for the sole purpose of examining and processing the alleged locations of the crimes charged against the Defendant, including the taking of photographic images, film or digital, or both (collectively, “Images”), subject to the directions of Superintendent Brown and CCCF staff, and the stipulations and protective orders of the Court as described herein.

ECF 34 at 1.

The provision above should now explicitly include any video footage obtained from access to CCCF as described. To that end, the defendant moves the Court to amend the stipulated protective order to include the words “and video” in the passage above, as follows (proposed change in bold and italics for purposes of highlighting the change only):

2. The United States and the Defendant (the “Parties”), through their attorneys, have made request of CCCF Superintendent Nicole Brown and ODOC officials for the attorneys and members of their respective litigation teams to access and view certain areas within CCCF for the sole purpose of examining and processing the alleged locations of the crimes charged against the Defendant, including the taking of photographic images ***and video***, film or digital, or both (collectively, “Images”), subject to the directions of Superintendent Brown and CCCF staff, and the stipulations and protective orders of the Court as described herein.

Respectfully Submitted this 31st day of March, 2023:

/s/ Matthew G. McHenry
Matthew G. McHenry
Counsel for Tony Klein